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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,793	08/31/2001	Semir S. Haddad	01-S-015 (STMI01-00020)	1060
30425	7590	09/08/2004	EXAMINER	
STMICROELECTRONICS, INC. MAIL STATION 2346 1310 ELECTRONICS DRIVE CARROLLTON, TX 75006			PHILIPPE, GIMS S	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/943,793	<b>Applicant(s)</b> HADDAD ET AL.	
	<b>Examiner</b> Gims S Philippe	<b>Art Unit</b> 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01302004</u> . | 6) <input type="checkbox"/> Other: ____.  |

### DETAILED ACTION

This is a first action in response to application no. 09/943,793 filed on August 31, 2001 in which claims 1-21 are presented for examination.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Ogawa et al. (US Patent no. 5787179).

As per claims 1, 8, and 15, Ogawa discloses a packetized elementary stream (PES) interface capable of receiving a plurality of packetized elementary streams associated with a single video program (See Ogawa col. 5, lines 65-67 and col. 6, lines 1-5); a presentation time stamp (PTS) detection circuit capable of detecting presentation time stamps in said packetized elementary streams and extracting the presentation time stamps therefrom (See Ogawa col. 6, lines 6-14); and a selection circuit capable selecting presentation time stamps associated with first one of said plurality of packetized elementary streams and transmitting said selected presentation time stamps to clock a generation circuit (See Ogawa col. 37-45), wherein said clock generation

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circuit generates a first reference clock signal used by a first decoder to decode the first packetized elementary stream (See Ogawa col. 7, lines 1-22, and col. 11, lines 8-16).

The applicant should note that the step of detecting the start location of the packet to be scrambled, and the detection of the starting location of the packet data require a clock signal (See col. 6, lines 41-45, and col. 7, lines 20-22).

As per claims 2, 9, 16, Ogawa further provides a clock generation circuit generating a second reference clock signal synchronized with a first reference clock signal and wherein said second reference clock signal is used by a second to decode a second packetized elementary stream elementary stream in synchronization with the first packetized elementary stream (See Ogawa col. 12, lines 64-67, col. 13, lines 1-2 and 23-31, and col. 15, lines 28-36).

Note that the second decoder is the audio decoder and the synchronization referred to is audio/video synchronization for the television receiver 14 as disclosed in col. 2, lines 1-5.

As per claims 3, 10, 17, most of the limitations of these claims have been noted in the above rejection of claims 2, 9, and 16. In addition, Ogawa further discloses the same decoder wherein said selected presentation time stamps are video presentation times stamps and said first decoder is a video decoder (See decoder 64 of fig. 7, and col. 7, lines 60-65).

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As per claim 4, 11, 18, Ogawa further discloses a digital video recorder wherein said second decoder is an audio decoder (See Ogawa col. 7, lines 60-65).

As per claims 5-6, 12-13, and 19-20, the decoder as seen in Ogawa is an audio/video decoder. Thus, whether the audio decoder is considered as first or second decoder, as long as both functions are being performed by the decoder, the limitation is considered met by the prior art (See Ogawa decoder 64 of fig. 7 decoding both audio and video).

As per claims 7, 14, and 21, most of the limitations of these claims have been noted in the above rejections. In addition, Ogawa further synchronizes the PTS associated with the second PES (See col. 6, lines 6-14, and col. 7, lines 16-22).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lyons et al. (US Patent no. 6101195) teaches timing correction method and apparatus.

Hemkumar et al. (US Patent no. 6356871) teaches method and circuits for synchronizing streaming data and system using the same.

Lyons et al. (US Patent no. 6061399) teaches method and apparatus for information stream frame synchronization.

Robinett et al. (US Patent no. 6351474) teaches networking distributed remultiplexer for video program bearing transport streams.


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Shiomoto et al. (US Patent no. 6584120) teaches data multiplexing apparatus and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Gims S Philippe  
Primary Examiner  
Art Unit 2613

GSP

September 4, 2004